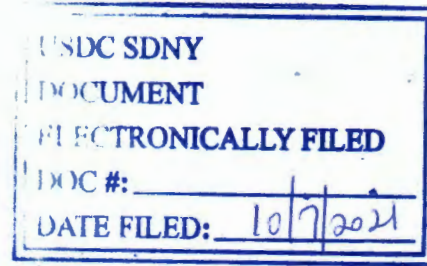


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



\_\_\_\_\_  
SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

21 Civ. 01772 (CM)(GWG)

-against-

AIRBORNE WIRELESS NETWORK, ET AL,

Defendants.

\_\_\_\_\_  
ORDER DENYING ALL PENDING MOTIONS TO DISMISS  
AND DEFENDANTS' LETTER MOTION TO STAY DISCOVERY

McMahon, J.:

Defendants Airborne Wireless Network, Eric Sheffey, Kalistratos Kabilafkas, Timoleon Kabilafkas, Jack Edward Daniels, Panagiotis Bolovis and Chrysilios Chrysiliou (collectively, the Moving Defendants) have filed separate motions to dismiss the complaint in this enforcement action brought by the Securities and Exchange Commission. The SEC has filed an omnibus brief in response, which addresses the motions of all Moving Defendants.

Because every one of the SEC's arguments is correct, there is no point in the court's taking the time to draft a detailed opinion regurgitating what can be found in that brief. Accordingly, the court will expedite the resolution of these motions by issuing this order denying all motions to dismiss, for the reasons set forth in the SEC's Omnibus Memorandum of Law.

I will simply add that the SEC's complaint is a model of what a pleading in a securities fraud case ought to be. Whether its allegations will hold up after discovery is another matter altogether. But as a pleading, it alleges every element of every claim asserted against every Moving Defendant. The case is not even close.

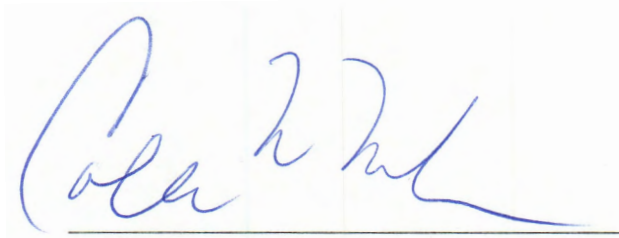
The Clerk of Court is directed to close the motions at Docket ## 45, 50, 54, 60, 74, 81, and 89.

On August 30, Defendants Kalistratos and Timoleon Kabilafkas filed a letter motion to stay discovery pending resolution of the motions to dismiss the complaint. That motion is now moot. It is, therefore, denied as moot, and the Clerk of Court is directed to close it out. The motion is at Docket #98.

All open motions in this case should now be removed from the court's list of open motions.

This constitutes the order of the court.

Dated: October 6, 2021

A handwritten signature in blue ink, appearing to read "C. J. [unclear]", is written over a horizontal line.

U.S.D.J.

BY ECF TO ALL COUNSEL